

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2017-281-E**

IN RE: Shorthorn Solar, LLC; Rollins Solar, LLC;)
 Juniper Solar, LLC; Meslam Solar, LLC;)
 Culpepper Solar, LLC; Ashley Solar, LLC;)
 Jefferson Solar, LLC; Madison Solar, LLC;)
 Fairfield Solar, LLC; Bell Solar, LLC;)
 Webster Solar, LLC; B&K Solar, LLC;)
 GEB Solar, LLC; Ross Solar, LLC;)
 Summerton Solar Farm, LLC;)
 Clarendon Solar Farm, LLC;)
 Azalea Solar LLC; Cardinal Solar LLC;)
 Sunflower Solar LLC; Cosmos Solar LLC;)
 Zinnia Solar LLC; Chester PV1, LLC;)
 Ninety-Six PV1, LLC; Newberry PV1, LLC;)
 Bradley PV1, LLC; Jonesville PV1, LLC;)
 Ft. Lawn PV1, LLC; and)
 Mt. Croghan PV1, LLC,)
)
 Complainants/Petitioners,)
)
 v.)
)
 Duke Energy Carolinas, LLC and)
 Duke Energy Progress, LLC,)
)
 Defendants/Respondents.)

**PETITION
TO REHEAR OR RECONSIDER
ORDER NO. 2019-45-H**

INTRODUCTION

Pursuant to S.C. Code Ann. Section 58-27-2150 (1976, as amended) and S.C. Code Ann. Regs. 103-825.A(4) and R. 103-854 (1976, as amended) and other applicable Rules of Practice and Procedure of the Public Service Commission of South Carolina, Complainants/Petitioners hereby petition the Hearing Officer to rehear or reconsider the below described portion of his decision in Order No. 2019-45-H, dated April 3, 2019.

PETITION

Complainants/Petitioners request reconsideration of the Hearing Officer's April 3, 2019, Order, ordering that this Docket will remain in abeyance for 60 additional days.

As an alternative, Complainants/Petitioners submit that the Docket should be held in abeyance until May 10, 2019, which time frame affords sufficient time to allow pending legislation (H.3659), to pass, that may likely moot the issues in this case. The legislative session is expected to be concluded on May 9, 2019 and an extension until May 10, 2019, will allow for appropriate time¹.

Complainants/Petitioners are sensitive to any concerns about judicial economy that may have arisen from the solar legislation (H.3659) currently pending in the South Carolina Senate, which contains provisions that (if passed) may bear on the claims in this case. Complainants/Petitioners agree that it would not be prudent for the Commission to conduct a hearing on this matter while that legislation is so close to passage. But, given that the legislative session of the South Carolina General Assembly will end on May 9, 2019 and a hearing in this matter would not be held for some time after the case comes out of abeyance. Holding the case in abeyance until May 10, 2019, instead of 60 days, will be more than enough time to prevent any waste of judicial resources owing to the new legislation.

CONCLUSION

Based on the foregoing, and the date that the current session of the South Carolina General Assembly is scheduled to conclude on May 9, 2019, you, as Hearing Officer, should amend your Hearing Officer Directive of April 3, 2019, and should order (i) that this matter be held in abeyance until May 10, 2019 (ii) the parties be required to report the status of this matter to the Commission on May 10, 2019 and (iii) for such other and further relief as this Commission deems necessary.

[Signature Page Follows]

¹ As an initial matter, Complainants/Petitioners note that the Company made its request for 60 additional days on March 18, 2019, and the April 3, 2019 Order was issued two weeks after that. Revising the April 3, 2019, Order as requested would be appropriate.

/s/Richard L. Whitt,

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As Counsel for the Complainants/Petitioners.

April 11, 2019
Columbia, South Carolina